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Even Nixon's Mail Was Read By the C.I.A.

Yet another dimension has been added to the characterization of the Central Intelligence Agency as a power unto itself. A special Senate committee has found that the agency opened mail to and from prominent American politicians and then kept a file of photographic copies of the intercepted letters.

Ironically, and for now inexplicably, the politicians included former President Nixon, who himself later banned such mail surveillance. Another was Senator Frank Church, who had the dubious pleasure of announcing that fact in his role as chairman of the committee investigating the operation of intelligence agencies.

According to Senator Church, the mail opened included a letter, to Mr. Nixon, then a private citizen, from an aide traveling in the Soviet Union in June 1968; a letter mailed in 1958 by Senator Humphrey from the Soviet Union to an unidentified person in the United States, a letter from Senator Church in 1971 from Moscow to his mother-in-law in the United States; and a number of letters to Senator Edward Kennedy from peace groups abroad.

Current Congressional investigations into the operation of American intelligence agencies were undertaken in response to disclosures, first made in The New York Times, that thousands of Americans had been the subject of illegal domestic surveillance. Senator Church's announcement was the first identification of the major public figures among them. The mail opening, apparently illegal, was carried on from 1953 to 1973.

The C.I.A. had a so-called "watch list" of persons and organizations whose mail was routinely intercepted, but the criteria used to compile the list have never been made public and it is not likely that Mr. Nixon, for one, was on the list. The Church committee said it would ask the former President to testify.

In the relatively few days of public testimony it has taken, the Church committee has produced a picture of an agency that used a near-absence of Governmental oversight to operate beyond the laws and, in some cases, in direct contradiction to a President's directives. Its agents kept poison they were told to destroy and conducted illegal domestic burglaries as well as opening the mail of ordinary and prominent citizens.

Senator Church's committee also disclosed that the Federal Bureau of Investigation, from 1942 to 1968, made at least 238 illegal burglaries against 14 major dissident American groups and individuals.

Much of the data being obtained by the special Senate committee results from a compromise in which it accepts documents from which the White House has deleted sensitive material. The compromise avoided a legal test of Congressional versus Executive powers. That test still may come. Representative Otis Pike, chairman of the special House committee probing the intelligence agencies may ask the full House next week to find the Ford Administration in contempt of Congress for refusing to release classified material subpoenaed by the committee.

On Sept. 11, the House committee ignored strong White House opposition and declassified data of the 1973 Middle East War that the Egyptians may at one point have sought "greater communications security." The President, infuriated by the unilateral declassification, ordered that the Committee's access to classified materials be cut off. President Ford met Friday with leaders of the House committee to head off the contempt vote.